

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CITY OF COOPERTOWN,
TENNESSEE

v.

LYNNETTE L. ATKINS

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No. 3-07-1249

ORDER

By Notice of Removal filed on December 13, 2007, this criminal case was removed from the City Court of Coopertown, Tennessee to the Middle District of Tennessee, pursuant to 28 U.S.C. § 1446. Upon such removal, the Clerk designated it as a civil action, opened it as a civil case, and issued a notice setting an initial case management conference on January 28, 2008. However, the defendant did not provide a copy of that notice to the City of Coopertown, and no appearance was made on behalf of the City on January 28, 2008.

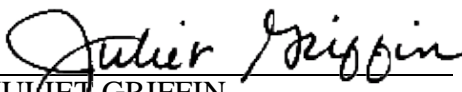
The case should not have been opened as a civil case. It is a criminal case.

Therefore, the Clerk is directed to close this case on the records of the Court. The case shall be reopened as a criminal action. It is a non-CVB petty offense.

Pursuant to 28 U.S.C. § 1446(c)(5), a hearing is scheduled on **Tuesday, March 18, 2008, at 2:00 p.m.**, in Courtroom 764, U.S. Courthouse, 801 Broadway, Nashville, TN. Unless the City of Coopertown does not want to pursue prosecution in this case, an appearance shall be made on behalf of the City of Coopertown on March 18, 2008.

The Clerk is directed to mail a copy of this order to the City of Coopertown, Tennessee, 2525 Burgess Gower Road, Springfield, TN 37172, by certified mail.

It is so ORDERED.


JULIET GRIFFIN
United States Magistrate Judge